Dear Quin,

8/8/79

Yesterday's news should make clear any ellipsis in my additional to my King appeal of the day before. I am still somewhat inhibited because all I know is not yet reported.

Obviously all the Patterson story is within my request in more than one Item.

It also is within the stipulations, despite OLC's unilateral revision of them.

Now, I suggest, is the time for the Department to remember Brandeis on appearances.

For your information and for whatever help it can be to any in the Department who may have any concern about such adventures, a little more.

I spotted Patterson as an informer four months ago. What I did not know, the records having been withheld by the FBI, is that he was an FBI fink turned over to the committee the first of this year.

That the FBI did not receive any of Patterson's information cannot now be argued because at the least via the committee it and the AG did. In my view this presents an additional problem for the Department and the FBI because not knowing of his FBI past I let Patterson into my home when he brought Jerry Ray here this past April.

He then insisted on taking pictures of Jerry Ray with my wife and me and my Frame-Up in the pictures. I know he turned these pictures in, besides the prints I have.

So we have a situation in which an FBI informer "penetrates" my home while informing for the committee when I am suing the FBI and am the committee's longest and severest (factual) critic. It sure looks bad.

Actually, Patterson offered to get me some good cassettes at less cost than I can get them here. Although I was able to get TDK's at a discount for Civil (which has yet to repay last November's bill for them), Patterson got them for me at less than half the descounted local price. I enjoy them as I tape the early-morning WAMU jazz programs.

What does not look good is his insistence on getting a copy of Frame-Up autographed by both me and James Earl Ray. After getting two from me he said were for his boys.

I believe the Department should get and provide each and every report Patterson provided and every record relating to them, to him, his work, etc. That the FBI pretends a request is restricted to FBIHQ files is no more than a pretense. My request was of the entire Department, not only the FBI, and not for HQ files only. I believe also that whether or not it may be argued technically that some of this more recent stuff was generated after my request the situation should persuade the Department not to take any such position and not force the litigation of the issue. If it does I'll be able to produce a very large number of records that were generated after the requests were filed. It did not apply any such restriction in the past.

Patterson's spying on Jerry Ray and on James via Jerry, not all of which is known publicly, was over the period of the habeas corpus effort. I do not know the exact time in 1974 that he supposedly stopped working for the FBI (which need mean no more than that a more productive replacement was available) but for the entire period I was James Earl Ray's investigator (and only one) and Jim was of his counsel, actually doing all the work. During this period I am the one who was in contact with Jerry. During this period and especially in the time immediately before the evidentiary hearing in 1974 there were some influences on Jerry to undermine James' confidence in his counsel, particularly Bud Fensterwald.

I do not see how any b7 claim can be made, or b1, because if there was either a law enforcement or national security justification for this kind of spying it means that the Department perpetrated a fraud to get Ray extradicted from England. It then insisted that there was no conspiracy.

There cannot be anymisfiling claim here. The FBI turned Patterson over to the committee. I have made you aware of another, similar case. I am sure that the FBI records I do not have will reflect its appraisal of the committee that validates my own of utter irresponsibility and affection for the nut stuff only. It did this after knowing what the committee did with an earlier informer turned over to it. I tell you frankly that a case can be made from the records I have of the FBI deliberately feeding bad stuff to the committee because it was certain the committee would go for it. Thus you have the case in the morning paper of the man who was afraid to appear because the committee had already made public what the FBI had not and what the committee got from the FBI, as I did. Claude Powell is charged with contempt even though I know of no established relevance of his testimony to the committee's mandate or to any legislative function that can be claimed.

Yes, I am saying I believe the FBI is engaged in gamesmanship.

Last week, before any of this was public but when I knew it would be public soon, I informed Jim and asked him to consider bringing it up at the coming calender call. I regard it as a very serious matter when an FBI informer comes to me under false pretenses while I am suing the FBI. I would hope that the Department would share this belief. And I believe it reflects the FBI's attitude toward compliance in the case and as I've tried to tell the Department and its counsel more than once, illustrates why the FBI continues to withhold relevant information under my PA request and in the King case.

I am not representing that I was unaware that Patterson was an informer. But I was not aware of his FBI connection. I did believe he was working for the committee. I had my own reasons to believe this before he came here on Sunday April 16, 1978. I was more convinced after he was here and after I saw him and his decorated 1978 Buick (since traded in for a superdeluxe factory-equipped van, which had to be paid for when he had no CB business left). I immediately warned Jim, who represented John Ray and the sister, Carol Pepper. I tried to warn Jerry, without success. I also did warn John and Carol and Carol's husband Albert, who I think heeded me to the extent Jerry did not prevent. But I never thought the FBI would have any association, no matter how indirect, with any such impropriety.

While I am not yet at liberty to tell you how others came, quite belatedly, to know of the Patterson operation, I do give you my belief that the most probable explanation is by a wiretap, one or more. One of the phones on which this was discussed is mine -- and I am never in touch with Mark Lane. The leaking to the Times followed. While I am sorry that Tony Marro, to whom this was not leaked, was sandbagged, maybe the consequence will be fewer of these angled and dishonest leaks or greater reluctance for the headline-seekers to go for them.

I am aware of the map and of more about it than has become public. I am aware of other intrusions not yet public, so I am merely letting you know. I believe all of these are within my request and I offer the opinion that my going over these things now serves the Department's interest. I am quite familiar with James' and Jerry's manner of expression and I think their personalities. Perhaps there is an escape plan but I doubt it very much. Not with a pot of gold marked at the roots of an oak, which is not public knowledge.

Also for your information, Jerry and the committee's candidate for a youthful Bonnie, aka Rhonda Gibson, came here Sunday afternoon on their way to Washington.

The notion that Rhonda was a wheelgirl for bankrolling Jerry (who like all the Rays was impoverished by successful alleged heists) does not originate with the nutty committee. It is the FBI's fabrication of which I have known since 1969 and about which I have not yet received a single record. I believe they should be produced. When I learned of this I immediately arranged, now I'm talking about 1969, for Jerry to have emergency representation in Washington and in St. Louis.

From Jerry and Rhonda I can inform you of more without violating any trust.

There are more than the audio tapes in the papers. There are videotapes. These range from a crude Hambone-Rastus routine by Stoner and Jerry to Mark Lane. I remind you that regardless of what I think of him Lane is and has been Ray's counsel. He also is making extreme and false charges against the FBI.

So far all that is publis indicates that only one committee investigator was involved in these adventures. More will come out, including more names. Oliver was also a bit careless about his reports to the FBI.

Perhaps the AG can take some comfort from the fact that this all appears to have begun under J. Wallace LaPrade.

If the Department takes the position that I have to make a new request I will, of course, do so while litigating the need. I hope there will be no need to litigate and that someone will assure that the FBI's games with me and with compliance come to an end. I can make a request in a less personal communication and will not be foreclosed in C.A. 75-1996.

The calendar call is this coming Monday so please excuse my typos. I want to make today's outgoing mail with this. If you want any more information please call or I can come over after Monday's morning calendar call.

Sincerely,